

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

PARKERVISION, INC.,

Plaintiff,

v.

LG ELECTRONICS, INC.,

Defendant.

Case No. 6:21-cv-00520-ADA

JURY TRIAL DEMANDED

JOINT MOTION TO STAY

Plaintiff ParkerVision, Inc. (“ParkerVision”) and Defendant LG Electronics, Inc. (“LGE”) (collectively, “the Parties”) jointly move to stay all deadlines in this matter for 3 months until and through February 3, 2023, to provide ParkerVision with additional time to secure third-party discovery from Realtek and MediaTek related to the accused products.

On July 12, 2022, ParkerVision filed an unopposed motion for issuance of Letters Rogatory to Realtek and MediaTek. Dkt. Nos. 60 & 61. In its Motions, ParkerVision stated that the information in Realtek and MediaTek’s possession is “important to ParkerVision’s ability to demonstrate LGE’s infringement of the Asserted Patents.” *Id.* at 4.

On July 26, 2022, this Court granted issuance of Letters Rogatory to Realtek and MediaTek. Dkt. Nos. 62 & 63.

As of November 4, 2022, ParkerVision has not received any discovery from either third party and is seeking to stay the case to allow the Letters Rogatory to proceed. LGE does not oppose ParkerVision’s request. *Sequent Energy Management, L.P. v. CPS Energy*, No. SA-21-CV-00395, Dkt. No. 31 (W.D. Tex. Dec. 13, 2021) (granting joint stipulation to extend case

schedule); *see also B&D Produce Sales, LLC v. Packman I, Inc.*, No. SA-16-CV-99-XR, 2016 WL 4435275, at *1 (W.D. Tex. Aug. 19, 2016) (“A district court has the inherent power to stay proceedings.”). Third party discovery will proceed during the stay. Upon expiration of the stay, the Parties will propose a new schedule, with fact discovery proceeding for at least 30 days after the stay is lifted to permit the parties to propound additional discovery and complete depositions of fact witnesses.

The parties’ requested stay may also streamline the issues before this Court. *See, e.g., Kirsch Research & Development, LLC v. IKO Indus., Inc.*, No. 6:20-CV-00317-ADA, 2021 WL 4555610, at *2 (E.D. Tex. Mar. 11, 2015) (outlining factors considered by courts in the stay context, including potential for simplifying issues, prejudice to the nonmovant, and the state of the case). For example, final written decisions are expected by the end of November in *TCL Indus. Holdings Co., Ltd. v. ParkerVision, Inc.* IPR2021-00990 and in *TCL Indus. Holdings Co., Ltd. v. ParkerVision, Inc.* IPR2021-00985. IPR2021-00990 and IPR2021-00985 involve U.S. Patent Nos. 7,110,444 and 7,292,835, respectively, which are the only unexpired patents asserted in this case. The Patent Trial and Appeal Board’s final written decisions in IPR2021-00990 and IPR2021-00985, therefore, may streamline the issues before this Court. There is also no prejudice to either party as the motion is joint and the parties will benefit from the potential streamlining of issues in this case.

Thus, to allow ParkerVision to proceed through its Letters Rogatory, and to avoid wasting the Court’s and the Parties’ time and resources, the Parties jointly request that the Court grant a modest 3-month stay.

Dated: November 8, 2022

/s/Raymond W. Mort, III

Raymond W. Mort, III
Texas State Bar No. 00791308
raymort@austinlaw.com

THE MORT LAW FIRM, PLLC
100 Congress Avenue, Suite 2000
Austin, Texas 78701
Tel/Fax: 512-865-7950

Of Counsel:

Ronald M. Daignault (*pro hac vice*)*
Chandran B. Iyer (*pro hac vice*)
Jason S. Charkow (*pro hac vice*)*
rdaignault@daignaultiyer.com
cbiyer@daignaultiyer.com
jcharkow@daignaultiyer.com

DAIGNAULT IYER LLP
8618 Westwood Center Drive
Suite 150
Vienna, VA 22182
**Not admitted in Virginia*

Attorneys for ParkerVision, Inc.

Respectfully submitted,

/s/ Steven Pepe

Melissa R. Smith
GILLAM & SMITH, LLP
TX State Bar No. 24001351
303 S. Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
melissa@gillamsmithlaw.com

Steven Pepe
Matthew Shapiro
Michael Morales
James Stevens
ROPES & GRAY LLP
1211 Avenue of the Americas
New York, NY 10036-8704
Tel: 212.596.9000
Fax: 212.596.9090
Steven.Pepe@ropesgray.com
Matthew.Shapiro@ropesgray.com
Michael.Morales@ropesgray.com
James.Stevens@ropesgray.com

David S. Chun
Stepan Starchenko
ROPES & GRAY LLP
1900 University Ave., 6th Floor
East Palo Alto, CA 94303-2284
Tel: 650.617.4000
Fax: 650.617.4090
David.Chun@ropesgray.com
Stepan.Starchenko@ropesgray.com

Scott Taylor
(Admission application forthcoming)
ROPES & GRAY LLP
Prudential Tower
800 Boylston Street
Boston, MA 02199-3600
Tel: 617.951.7000
Fax: 617.951.7050
Scott.Taylor@ropesgray.com

Attorneys for Defendant LG Electronics Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on November 8, 2022, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(b)(1).

/s/ *Melissa R. Smith*

Melissa R. Smith